

Exhibit J

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF ALAMEDA
3

4 MARLIN LEWIS EAGLES and
5 GEORGIA EAGLES,

Case No. 22CV018294

6 Plaintiffs,

7 vs.

8 ARVINMERITOR, INC., et al.,

9 Defendants.
10
11
12
13 VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF
14 WILLIAM LONGO, PH.D.
15 Suwanee, Georgia
16 Monday, October 23, 2023
17 Volume 2
18
19
20
21 Reported by:
22 LESLIE JOHNSON
23 RPR, CCRR, CSR No. 11451
24 Job No.: 6167398
25 PAGES 166 - 281

Page 166

1 A I'm with you. 12:39:19

2 Q I just want to first just talk about what
3 talc itself should look like in 1.550 oil. Okay.

4 A Sure.

5 Q And so this says for the RI parallel to 12:39:35
6 the fiber lengths -- we're talking about parallel --
7 talc fibers have a range of 1,589 to 1,600 resulting
8 in a pale yellow dispersion color when immersed in
9 1.550 RI liquid.

10 First of all, is that correct? 12:40:00

11 A Yeah. You can have a range like that.
12 Sometimes a little bit lower. Sometimes higher.
13 But that's -- I don't argue with that.

14 Q But, typically, talc -- elongated talc in
15 parallel should be a pale yellow, and the range they 12:40:14
16 give here is 1,589 to 1,600, right?

17 A That's what they give.

18 (Exhibit 25 marked for identification.)

19 BY MR. DUBIN:

20 Q Okay. And just so we can see something 12:40:25
21 about talc in general, not just talc fiber, I'll
22 mark as the next exhibit in order, which will be 25,
23 just the IARC 2010 monograph on talc. And if we
24 could call that up and go to page 289.

25 No. It should be 1.13. 12:41:11

1 you can identify any talc plates. We can take the 12:58:16
2 one that's up slightly to the right of the one you
3 just called chrysotile. What color would you call
4 that for purposes of determining its refractive
5 index? 12:58:28

6 A That would be somewhere in the 1.563 to
7 1.566, 67. Somewhere around there.

8 Q Remind me what color that corresponds to.

9 A What you see there.

10 Q So are you calling it red? Are you 12:58:43
11 calling it golden yellow? What color are you
12 calling it? I want to know what you see in that
13 particle.

14 A I see sort of a goldish-yellow and some
15 red on the outside. I don't -- typically, you want 12:58:59
16 to take the very end, but this is a particle plate,
17 since it's not fibrous. And we do have some single
18 fibers in there, but they're too small to really
19 resolve. And that's what I would call it, based on
20 just that photograph. 12:59:19

21 Q So I'm just saying, I think one of the
22 things you told me before is that when you do this
23 analysis, you're basing it on what color it is at
24 the edge of the particle, right?

25 A With our new microscope, yes, we are, 12:59:31

1 because we have better resolution. Here we have -- 12:59:33

2 every particle has some of the red around it. And I
3 don't know if that's just an artifact or not. But
4 I'm just -- you asked me, and I'm telling you.

5 Q Okay. I understand. So but your view -- 12:59:49
6 the red -- you agree the red on these pictures may
7 be an artifact, right?

8 A Maybe. I don't know. I'd have to focus
9 in on it to see if we -- you know, the focus is off,
10 et cetera. So I'm giving you my best estimate based 01:00:04
11 on the photograph.

12 Q Okay. And so at some point you changed
13 microscope, as I understand it, and no longer have
14 the tungsten lightbulb, right?

15 A It's LED. 01:00:24

16 Q Now, I want to ask you about -- so before
17 you changed, did you have various different PLMs
18 before that, some of which had tungsten lightbulbs,
19 some of which didn't, or did they all have a
20 tungsten lightbulb? 01:00:44

21 A We had 3D exact same microscope.

22 Q Okay. All with the tungsten lightbulb?

23 A Older -- old PLM microscopes.

24 Q Okay. So I want to mark next, which,
25 unless Joe corrects me again, will be 28. 01:00:59

1 Valadez report. 01:08:23

2 MR. DUBIN: And, Jake, that's Tab 55, if
3 we want to call it out.

4 MR. SATTERLEY: Exhibit 30?

5 MR. DUBIN: That will be Exhibit 30. 01:08:36

6 (Exhibit 30 marked for identification.)

7 MR. DUBIN: And, if we can go to page 32.

8 Sorry. Is this the Valadez report, Jake,
9 Tab 55? And then page 32? It should have images.

10 MR. KEESTER: Is it this one? 01:09:23

11 MR. DUBIN: Yeah. Let's rotate it.

12 BY MR. DUBIN:

13 Q So I asked you about this particle before,
14 and I think you -- well, let me just ask you. What
15 color were you calling this? 01:09:46

16 A A brownish-gold I guess. More on the
17 brownish side, brownish-gold, which what we're
18 seeing in the 1.560.

19 Q So this is M71614-001CSM-001 chrysotile.
20 Okay? 01:10:04

21 MR. DUBIN: And let's go to page 37 above
22 this. Scroll down because it should have the
23 correct image. Let's go down. Okay. Let's flip
24 that. Scroll that down.

25 / / /

1 REPORTER'S CERTIFICATION
2

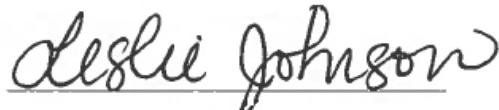
3 I, Leslie Johnson, a Certified Shorthand
4 Reporter of the State of California, do hereby certify:

5 That the foregoing proceedings were taken
6 before me at the time and place herein set forth; that
7 any witnesses in the foregoing proceedings, prior to
8 testifying, were administered an oath; that a record of
9 the proceedings was made by me using machine shorthand
10 which was thereafter transcribed under my direction;
11 that the foregoing transcript is a true record of the
12 testimony given.

13 Further, that if the foregoing pertains to
14 the original transcript of a deposition in a Federal
15 Case, before completion of the proceedings, review
16 of the transcript [] was [] was not requested.
17 I further certify I am neither financially interested in
18 the action nor a relative or employee of any attorney or
19 any party to this action.

20 IN WITNESS WHEREOF, I have this date
21 subscribed my name.

22 Dated: October 24, 2023

23 

24 LESLIE JOHNSON

25 CSR No. 11451, RPR, CCRR